

## **REMARKS**

Upon entry of the foregoing Amendment, claims 1-34, and 36 are pending in the application. Claim 12 has been amended. Claim 35 has been cancelled, without prejudice or disclaimer. Applicants believe that this amendment does not add new matter. In view of the foregoing Amendment and following Remarks, allowance of the claims is requested.

Applicants note that it appears that the Examiner has inadvertently marked this Office Action as a FINAL Office Action in the Office Action Summary form. At page 2 of the Office Action, however, the Examiner indicated that the Office Action is a NON-FINAL Office Action, which the Applicants believe is the case. As such, Applicants have treated this Office Action as a NON-FINAL Office Action.

During the prosecution of this application, Applicants amended and cancelled various claims solely for purposes of expediting prosecution of this application and expressly not for purposes of overcoming any of the Examiner's rejections. Applicants expressly do not disclaim any subject matter as a result of such claim amendments or claim cancellations. Applicants expressly reserve the right to prosecute such subject matter or any other subject matter supported by the Specification in one or more continuation applications.

### ***Allowable subject matter***

Applicants thank the Examiner for the indication of Allowable subject matter. Particularly, the Examiner has indicated that claims 1-11, and 23-35 are allowed.

### ***Rejections under 35 U.S.C. § 101***

The Examiner has rejected claims 12-22, and 36 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants traverse this rejection because the claims are directed to statutory subject matter. Nonetheless, solely in a effort to expedite prosecution of this application, Applicants have amended claim 12 to recite "software embodied in a medium and operable with a computer for ...". As such, claim 12 is clearly directed to statutory subject matter and is allowable.

Claims 13-22 and 36 depend from allowable claim 12 and hence are also allowable. Accordingly, withdrawal of the rejection under 35 U.S.C. § 101 is earnestly solicited.

### Conclusion

For at least the foregoing reasons, Applicants submit that the application is in condition for allowance. Notice to that effect is requested.

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Respectfully submitted,

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